

House Amendment 1406

PAG LIN

1 1 Amend House File 686 as follows:
1 2 #1. Page 1, by striking lines 25 through 29, and
1 3 inserting the following: <local governing bodies to
1 4 ~~designate areas of a municipality as economic~~
~~1 5 development areas for commercial and industrial~~
~~1 6 enterprises, public improvements related to housing~~
~~1 7 and residential development, or construction of~~
~~1 8 housing for low and moderate income families; and that~~
~~1 9 it is also necessary to>.
1 10 #2. Page 2, by inserting before line 1, the
1 11 following:
1 12 <Sec. ____ Section 403.4, subsection 1, Code 2003,
1 13 is amended to read as follows:
1 14 1. One or more slum, or blighted ~~or economic~~
~~1 15 development areas exist in the municipality.~~
1 16 Sec. ____ Section 403.5, subsection 1, Code 2003,
1 17 is amended to read as follows:
1 18 1. A municipality shall not approve an urban
1 19 renewal project for an urban renewal area unless the
1 20 governing body has, by resolution, determined the area
1 21 to be a slum area, or blighted area, ~~economic~~
~~1 22 development area~~ or a combination of those areas, and
1 23 designated the area as appropriate for an urban
1 24 renewal project. The local governing body shall not
1 25 approve an urban renewal plan until a general plan for
1 26 the municipality has been prepared. For this purpose
1 27 and other municipal purposes, authority is vested in
1 28 every municipality to prepare, to adopt and to revise
1 29 from time to time, a general plan for the physical
1 30 development of the municipality as a whole, giving due
1 31 regard to the environs and metropolitan surroundings.
1 32 A municipality shall not acquire real property for an
1 33 urban renewal project unless the local governing body
1 34 has approved the urban renewal project in accordance
1 35 with subsection 4.>
1 36 #3. Page 3, by inserting after line 28, the
1 37 following:
1 38 <Sec. ____ Section 403.5, subsection 4, paragraph
1 39 b, subparagraph (2), unnumbered paragraph 2, Code
1 40 2003, is amended by striking the unnumbered
1 41 paragraph.>
1 42 #4. Page 5, by inserting after line 27, the
1 43 following:
1 44 <Sec. ____ Section 403.7, Code 2003, is amended to
1 45 read as follows:
1 46 403.7 CONDEMNATION OF PROPERTY.
1 47 A municipality shall have the right to acquire by
1 48 condemnation any interest in real property, including
1 49 a fee simple title thereto, which it may deem
1 50 necessary for or in connection with an urban renewal
2 1 project under this chapter. ~~However, a municipality~~
~~2 2 shall not condemn agricultural land included within an~~
~~2 3 economic development area unless the owner of the~~
~~2 4 agricultural land consents to condemnation or unless~~
~~2 5 the agricultural land is to be acquired for industry~~
~~2 6 as that term is defined in section 260E.2. A~~
2 7 municipality may exercise the power of eminent domain
2 8 in the manner provided in chapter 6B, and Acts
2 9 amendatory to that chapter or supplementary to that
2 10 chapter, or it may exercise the power of eminent
2 11 domain in the manner now or which may be hereafter
2 12 provided by any other statutory provisions for the
2 13 exercise of the power of eminent domain. Property
2 14 already devoted to a public use may be acquired in
2 15 like manner. However, real property belonging to the
2 16 state, or any political subdivision of this state,
2 17 shall not be acquired without its consent, and real
2 18 property or any right or interest in the property
2 19 owned by any public utility company, pipeline company,
2 20 railway or transportation company vested with the
2 21 right of eminent domain under the laws of this state,~~

2 22 shall not be acquired without the consent of the
2 23 company, or without first securing, after due notice
2 24 to the company and after hearing, a certificate
2 25 authorizing condemnation of the property from the
2 26 board, commission or body having the authority to
2 27 grant a certificate authorizing condemnation. In a
2 28 condemnation proceeding, if a municipality proposes to
2 29 take a part of a lot or parcel of real property, the
2 30 municipality shall also take the remaining part of the
2 31 lot or parcel if requested by the owner.>
2 32 #5. Page 6, by striking lines 9 through 33, and
2 33 inserting the following:
2 34 <Sec. _____. Section 403.17, subsection 10, Code
2 35 2003, is amended by striking the subsection.>
2 36 #6. Page 6, by inserting before line 34, the
2 37 following:
2 38 <Sec. _____. Section 403.17, subsection 23, Code
2 39 2003, is amended to read as follows:
2 40 23. "Urban renewal area" means a slum area, or
2 41 blighted area, ~~economic development area,~~ or
2 42 combination of the areas, which the local governing
2 43 body designates as appropriate for an urban renewal
2 44 project.
2 45 Sec. _____. Section 403.17, subsection 25,
2 46 unnumbered paragraph 1, Code 2003, is amended to read
2 47 as follows:
2 48 "Urban renewal project" may include undertakings
2 49 and activities of a municipality in an urban renewal
2 50 area for the elimination and for the prevention of the
3 1 development or spread of slums and blight, ~~may include~~
3 2 ~~the designation and development of an economic~~
3 3 ~~development area in an urban renewal area,~~ and may
3 4 involve slum clearance and redevelopment in an urban
3 5 renewal area, or rehabilitation or conservation in an
3 6 urban renewal area, or any combination or part thereof
3 7 in accordance with an urban renewal program. The
3 8 undertakings and activities may include:
3 9 Sec. _____. Section 403.17, subsection 25, paragraph
3 10 a, Code 2003, is amended to read as follows:
3 11 a. Acquisition of a slum area, or blighted area,
3 12 ~~economic development area,~~ or portion of the areas;>.
3 13 #7. By renumbering as necessary.
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3 17 FORD of Polk
3 18 HF 686.203 80
3 19 sc/sh